

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JEFFREY LEISER,

Plaintiff,

v.

DR. JOAN HANNULA, et al.,

Defendants.

OPINION AND ORDER

15-cv-328-slc

Pro se plaintiff Jeffrey Leiser is proceeding in this lawsuit on claims related to how medical professionals at Stanley Correctional Institution handled his need for care at different times between 2011 and 2014. On February 28, 2020, after unsuccessfully attempting to recruit counsel for Leiser for almost two years, the court reopened this case, resolved multiple pending motions, *sua sponte* dismissed without prejudice Leiser's negligence claim against defendant Nurse Practitioner Bentley, and set this matter for a telephonic scheduling conference. (Dkt. 146.) On March 25, 2020, I held a telephonic conference at set the trial schedule. On April 8, 2020, Leiser filed an objection to the dismissal of Bentley. Construing this objection as a motion for reconsideration of the February 28, 2020, order, I am denying it.

I dismissed Leiser's negligence claim against Bentley because the general rule is that federal courts should relinquish jurisdiction over state law claims if all federal claims are resolved before trial, and Leiser was not proceeding against Bentley on any federal claims. 28 U.S.C. § 1367(c)(3); *Burritt v. Ditlefson*, 807 F.3d 239, 252 (7th Cir. 2015). Leiser does not suggest that this was a legal error. Instead, he objects because he is busy litigating multiple other lawsuits and he believes his negligence claim has merit. Neither reason for

his objection persuades me that it would be appropriate for me to exercise supplemental jurisdiction over a defendant on a claim based solely on state law.

ORDER

IT IS ORDERED that plaintiff Jeffrey Leiser's objection to the court's dismissal of Nurse Practitioner Bentley (dkt. 148) is DENIED.

Entered this 30th day of April, 2020.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge